IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 535 of 2004

Between:

St. Gabriel Education Centre High School, New Nallakunta, Hyderabad, Rep. by its Correspondent
Smt. Prem Sunder, W/o. Late R.S. Murthy.

..... PETITIONER

AND

1 State of Andhra Pradesh, Rep. by its Secretary to the Government, Department of Education (School Education), Secretariat Buildings, Hyderabad.
2 Commissioner & Director of School Education, A.P. Hyderabad.
3 The Regional Joint Director School Education, Hyderabad.
4 The District Educational Officer, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ more in the nature of a writ of Mandamus declaring the action of the respondents 1 and 2 in not admitting the petitioner institution into Grant-in-Aid despite the High Level Committee has recommended for the same and the Finance Department has given concurrence as being arbitrary and illegal, violative of Article 14 of the Constitution of India and consequently direct the respondents to forthwith act upon the proposals as per the recommendations of the High Level Committee for admission of the petitioner institution into grant-in-aid and issue such other writ or order or direction

Counsel for the Petitioner: MR.CH.SAMSON BABU

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court made the following:

ORDER

Heard both sides and at their request, the main Writ Petition itself is taken up for disposal.

The only grievance of the petitioner in this Writ Petition is against the action of the respondents 1 and 2 in not admitting the petitioner's institution into Grant-In-Aid despite the High Level Committee has recommended for the same and the Finance department has given concurrence

In the counter affidavit filed by the respondents, it is stated that the matter has already been placed before the High Level Committee and the decision is awaited.

In view of the aforesaid circumstances, it is not necessary to go into the merits of the case at this stage. It would suffice in the interest of justice to direct the High Level Committee headed by the 1st respondent to pass orders in this regard within a period of six weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

14-12-2004.

Hsd

Asst. Registrar

To

1 The Secretary, State of Andhra Pradesh, Department of Education (School Education), Secretariat Buildings, Hyderabad.

2 Commissioner & Director of School Education, A.P. Hyderabad.

3 The Regional Joint Director School Education, Hyderabad.

4 The District Educational Officer, Hyderabad.

5. 2 C.Cs toG.P. for Higher Education, High Court of A.P. High Court Buildings, Hyderabad (OUT)

6. 2 CD copies.